CONFERENCE ON DISARMAMENT

CD/1283
25 November 1994

ENGLISH
Original: FRENCH

LETTER DATED 21 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF UKRAINE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE ACT OF UKRAINE "ON THE ACCESSION OF UKRAINE TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS OF 1 JULY 1968" ADOPTED BY THE SUPREME COUNCIL (VERKHOVNA RADA) OF UKRAINE ON 16 NOVEMBER 1994

I have the honour to forward to you the text of the Act of Ukraine "On the Accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968" adopted by the Verkhovna Rada of Ukraine on 16 November 1994.

Could you, please, take the appropriate steps to register this document as an official document of the Conference on Disarmament, and to have it distributed to all member States and non-member States delegations taking part in the work of the Conference.

(Signed): Olexander Slipchenko

Ambassador
Permanent Representative of Ukraine
Head of Delegation

GE.94-64927 (E)

ACT OF UKRAINE
ON THE ACCESSION OF UKRAINE TO THE TREATY ON THE
NON-PROLIFERATION OF NUCLEAR WEAPONS
OF 1 JULY 1968

In accordance with the clauses of

- The Declaration of State Sovereignty of Ukraine of 16 July 1990,

- The Declaration adopted by the Supreme Council of Ukraine on 24 October 1991 on the non-nuclear status of Ukraine,

- The order adopted by the Supreme Council of Ukraine on 9 April 1992 on supplementary measures designed to ensure its non-nuclear status,

- The order adopted by the Supreme Council of Ukraine on 18 November 1993 on ratification of the Treaty between the USSR and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991, and the accompanying Protocol signed in Lisbon on behalf of Ukraine on 23 May 1992,

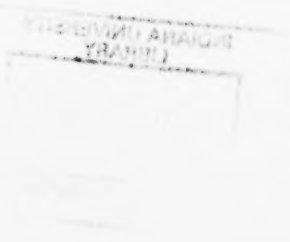
- The order adopted by the Supreme Council of Ukraine on 3 February 1994 on the application by the President and Government of Ukraine of the recommendations contained in paragraph 11 of the order of the Supreme Council of Ukraine on ratification of the Treaty between the USSR and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991, and the accompanying Protocol signed in Lisbon on behalf of Ukraine on 23 May 1992,

The Supreme Council of Ukraine decides:

To accede to the Treaty of 1 July 1968 on the Non-Proliferation of Nuclear Weapons with the following reservations:

1. The clauses of the Treaty do not fully cover the unique situation which arose following the dismemberment of a nuclear State, the USSR.

2. Ukraine is the owner of the nuclear weapons it inherited from the former USSR. Following the dismantling and destruction of these weapons under Ukrainian control and in accordance with procedures ruling out the possibility that constituent elements of the nuclear weapons might be re-used for the purposes initially envisaged, Ukraine intends to make use of this material for exclusively peaceful purposes.



3. The presence of nuclear weapons on Ukrainian territory pending their complete dismantling, as well as appropriate activities for their maintenance, servicing and destruction, do not run counter to the clauses of articles I and II of the Treaty.

4. Ukraine will regard as exceptional circumstances endangering its supreme interests any threat or use of force against its territorial integrity, the inviolability of its frontiers or its political independence emanating from any nuclear State. The same will apply to economic pressure designed to subordinate to the interests of such a State Ukraine's exercise of the rights inherent in its sovereignty.

5. The instruments relating to Ukraine's accession to the Treaty will be forwarded to the depositary countries after the present Act enters into force.

6. The present Act will enter into force following the granting to Ukraine, by the nuclear States, of guarantees for its security established by means of the signature of an international instrument that has been drawn up for that purpose.

(Signed): The Chairman of the Supreme Council of Ukraine O. Moroz

Kyiv, 16 November 1994